



**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF WYOMING**

UNITED STATES OF AMERICA,
Plaintiff,

**NUNC PRO TUNC
JUDGMENT IN A CRIMINAL CASE**

vs.

TIMOTHY K. HANNA,
Defendant.

CASE NUMBER: 2:05M2346-001

WAIVED
Defendant's Attorney

THE DEFENDANT: pleaded guilty to count 1.

ACCORDINGLY, pursuant to the Sentencing Reform Act of 1984 and the provisions of 18 U.S.C. § 3607(a), the Court, without entering a judgment of conviction on Count 1:

<u>Title & Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count Numbers</u>
21 U.S.C. §844 CLASS A MISDEMEANOR	Possession of a controlled substance, to wit: marijuana	04/22/2005	1
36 C.F.R. §2.35(b)(2)	Possession of a controlled substance, to wit: marijuana	04/22/2005	2

The defendant is sentenced as provided in pages 2 through 4 of this Judgment.

Count 2 is dismissed on the motion of the United States.

IT IS FURTHER ORDERED that the defendant shall notify the United States Attorney for this district within 30 days of any change of residence or mailing address until all fines, donation-restitution, costs, and special assessments imposed by this judgment are fully paid.

Defendant's USM No: **N/A**



October 24, 2005
Date of Imposition of Sentence

Stephen E. Cole
U.S. Magistrate Judge

October 24, 2005
Date

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SUPERVISED PROBATION

The defendant requests and consents to being sentenced under 18 U.S.C §3607(a) to a period of supervised probation for one (1) year without the Court entering a judgment of conviction. The defendant understands that at the expiration of the term of probation, if he has not violated any condition of his probation, the Court shall, without entering a judgment of conviction, dismiss the proceedings and discharge the defendant. If the defendant violates a condition of the probation, the Court may revoke the probation, enter a judgment of conviction and sentence the defendant to a term of imprisonment not greater than one year.

The defendant is hereby placed on supervised probation for a term of TWELVE (12) MONTHS.

While on probation, the defendant shall not commit another Federal, state, or local crime.

While on probation, the defendant shall not illegally possess a controlled substance. Revocation of probation is mandatory for possession of a controlled substance.

The defendant shall make special assessment and donation-restitution payments as ordered by the Court and is required to notify the Court of any material change in the defendant's economic circumstances that might affect the defendant's ability to meet these monetary obligations.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth on the following page). The defendant shall also comply with the following additional conditions:

Defendant shall obtain a substance abuse evaluation from a program approved by the U.S. Probation Officer and comply with any recommendations for further treatment, including testing to determine whether the defendant has reverted to the use of controlled substances.

Defendant shall refrain from the use and possession of alcohol and shall not frequent places where alcohol is the chief source of income.

Defendant is banned from entering the exterior boundaries of Yellowstone National Park for a period of one (1) year.

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STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the Court or probation officer;
- 2) the defendant shall report to the probation officer as directed by the Court or probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation unless excused by the probation officer for schooling, training or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least 10 days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view by the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the Court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics, and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

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FINANCIAL PENALTIES

The defendant shall pay the following total financial penalties in accordance with the schedule of payments set out below.

<u>Count</u>	<u>Assessment</u>	<u>Donation- Restitution</u>	<u>Fine</u>
1	\$25.00	\$0.00	\$1,000.00
2	\$0.00	\$0.00	\$0.00
<u>Totals:</u>	\$25.00	\$0.00	\$1,000.00

FINE AND/OR DONATION-RESTITUTION

The fine and/or donation-restitution includes any costs of incarceration and/or supervision. The fine is inclusive of all penalties and interest, if applicable.

The defendant shall pay interest on any fine and/or donation-restitution of more than \$2,500, unless the fine and/or donation-restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the below payment options are subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

The court has determined that the defendant does not have the ability to pay interest or penalties and it is ordered that:

The interest and penalties not be applied to fine and/or donation-restitution.

SCHEDULE OF PAYMENTS

Payments shall be applied in the following order: (1) assessment; (2) processing fee; (3) donation-restitution; (4) fine principal; (5) cost of prosecution; (6) interest; (7) penalties.

The total fine and other monetary penalties shall be due as follows:

In full immediately.